

Administration

This Information Sheet is intended only as a basic guide and not as an authoritative or legal document. Clients are advised to consult an appropriate financial or legal advisor for specific advice relevant to their wishes and circumstances or in respect of any queries.

This reference document gives a step-by-step guide to key aspects of estate administration in England, Wales and Northern Ireland, the basic procedure to follow if you are the nominated or responsible person(s) for a deceased person's estate. If you are keeping this guide for future reference, remember that legal requirements may have changed by the time you are called upon to administer an estate.

- 1 Find out if there is any current Will appointing you as executor. If other executors have been appointed in the Will, send a copy of the Will to your co-executors. If there is no Will and you are the next-of-kin, you may be entitled to administer the estate.
- 2 If there is unoccupied property, secure it and inform the insurers. Where necessary ensure that mains services (gas, electricity, water) are safe, deliveries stopped, and mail, redirected.
- 3 Register the death (within five days, unless an inquest and/or post mortem is necessary) with the Registrar for the area where it occurred. Consider how many additional death certificates to order, as they cost less if you ask for them when registering the death. You will need to send a death certificate to each assumed asset holder such as a bank or insurance company.
- 4 Advise family, friends and any other appropriate person of the death, arrange the funeral in accordance with the Will or any known wishes, and consider placing obituary notices in local/national press.
- 5 Stop payment of salary and pensions. Advise issuers of credit/charge cards, passport, driver's or TV licence etc and act on their directions. Check and stop as required any direct debits, standing orders, membership fees, etc and whether refunds may be due.
- 6 Contact the deceased's tax office to settle tax up to the date of death.
- 7 For advice on probate and to find out the current inheritance tax (IHT) threshold, call the Probate and Inheritance Tax helpline on 0845 302 0900 or go to www.hmrc.gov.uk/inheritancetax.
- 8 A Grant of Probate may not be required for jointly owned assets, which normally pass to the surviving owner.
- 9 Ascertain assets and liabilities and their date-of-death values. Send a death certificate to each assumed asset-holder such as banks, building societies or insurance companies. If there might be IHT to pay, obtain professional valuations on high-value items such as houses, stock market, investments, personal chattels etc. Make a list of any major gift made by the deceased in the seven years prior to their death, as these may be liable for IHT.
- 10 If the estate is liable for IHT, obtain an IHT form from the Capital Taxes Office (currently IHT200 but check with the Probate and IHT helpline or www.hmrc.gov.uk/cto), complete and submit it.
- 11 IHT has to be paid before probate is granted. If necessary, arrange an executor's loan account with a bank, to pay IHT. The deceased's bank or building society may be willing to release money to pay IHT without requiring a loan arrangement.
- 12 Where the Will stated that a specific item is to be transferred to a beneficiary you do not have to wait for probate before transferring the bequest, if you are sure that the Will is valid and that no one else will claim it.
- 13 Prepare probate forms, obtainable from a Probate Registry, or by calling the helpline on 0845 302 0900. Submit the completed probate application to the Principal or District Probate Registry, with the appropriate fee, requesting an official copy of the Grant of Probate for each asset-holder, such as Banks, Building Societies, etc.
- 14 When the Grant of Probate is obtained, send official copies with appropriate instructions to asset-holders. When assets are released, en-cash assets that have not been specifically bequeathed.

- 15** Pay the funeral account, unless already paid, e.g. by arrangement with the bank or through a pre-paid funeral plan. Pay any other outstanding tax and bills. Consider inserting 'statutory notices for creditors' in the press, allowing two months for claims to be made.

- 16 If you have not already done so, inform beneficiaries of their entitlement. Residuary beneficiaries, who are entitled to a share of the estate rather than a specific sum or item, should be sent a copy of the Will.
- 17 Pay any fixed amount legacies and transfer any assets specifically bequeathed by the Will.
- 18 Pay any final bills and obtain clearance for any Inheritance Tax, Administration Income Tax (tax on income that has accumulated since the date of death) or Capital Gains Tax liability
- 19 Prepare estate accounts and submit them to the residuary beneficiaries. They are entitled to a full account of all the estate receipts and payments. When the residuary beneficiaries have approved the accounts, distribute the residue to those entitled.
- 20 Provide each residuary beneficiary with a tax form (currently R185: Estate Income and Inheritance Tax but check with the Probate and IHT helpline or www.hmrc.gov.uk/cto) for their share of estate income. This is important for charity beneficiaries, as they can reclaim some income tax.

General Remarks

- Keep beneficiaries regularly informed of progress, to maintain goodwill.
- HM Revenue and Customs will often offer guidance, and charity beneficiaries may be able to assist you.
- If in doubt, you can obtain help from professional estate administrators such as solicitors, accountants and banks, whose fees must be paid out of the assets of the estate. Be aware that such fees could be significant and you are advised to obtain several quotes for comparison.

Further Advice From Age Concern

To help older people take positive steps to plan their financial future and ensure that their wishes will be carried out, we offer:

- **Will Writing Service**
Making a Will is the only way to ensure that your savings and possessions go where you want, not where the state decides. Without a legally valid Will, those you leave behind could be faced with confusion delays and legal costs. To make the whole process easier, Rural Age Concern Darent Valley (RACDV) can advise and prepare your Will at subsidised cost for clients in their area of benefit over state retirement age. You should store your Will safely in a place known to your Executors and check it regularly to ensure it continues to meet your wishes. RACDV can advise you on request if any amendments may be necessary and amend or update your Will for a modest charge. RACDV does not recommend homemade or pre-printed will forms and cannot advise on these as the potential for errors and mistakes is very high.
- **Free One-to-One Will Advice Service**
Age Concern offers a free, confidential Will Advice Service for people of state retirement age in England and Wales. Our local office at Rural Age Concern Darent Valley, 27-37 High Street, Swanley, Kent, BR8 8AE Telephone 01322 666448 or 07889 1336333 can explain details of planning your Will, including valuing your estate, treatment of jointly owned property, appointing an executor, the possible impact of Inheritance Tax, Lasting or General Powers of Attorney, etc.

Further Reading

RACDV Information Sheets:

- 22 - Will Writing & Advice Service
- 22a - Power of Attorney
- 22c - Inheritance Tax

Age Concern Fact Sheets:

- 7 - Making Your Will
- 14 - Dealing With Someone's Estate
- 22 - Powers of Attorney
- 27 - Planning For A Funeral
- 43 - Getting Legal Advice
- 72 - Advance Statements & Living Wills